उच्च न्यायालयों में मुख्य न्यायाधीश के रिक्त पद

2750. **श्री सत्य प्रकाश मालवीय:** क्या **विधि, न्याय और कम्पनी कार्य** मंत्री यह बताने की कृपा करेंगे कि:

(क) भारत के किन-किन उच्च न्यायालयों में मुख्य न्यायाधीश के पद रिक्त हैं;

(ख) ये पद कब से रिक्त हैं तथा उसके क्या कारण हैं; और

(ग) इन पदों के कब तक भरे जाने की संभावना है?

संसदीय कार्य मंत्रालय में राज्य मंत्री और विधि, न्याय तथा कम्पनी कार्य मंत्रालय में राज्य मंत्री (श्री रंगराजन कुमारमंगलम्): (क) और (ख) निम्नलिखित 2 उच्च न्यायालयों में, प्रत्येक के सामने उल्लिखित तारीखों से, कोई स्थायी मुख्य न्यायमूर्ति पदासीन नहीं है:—

1. गुजरात	7.10.91
2. मद्रास	18.11.91

ये पद तब रिक्त हुए जब इन उच्च न्यायालयों के मुख्य न्यायमूर्तियों को उच्चतम न्यायालय के न्यायाधीशों के रूप में पदोन्नत कर दिया गया।

(ग) इन उच्च न्यायालयों में मुख्य न्यायमूर्तियों के रिक्त पदों को भरने के लिए सम्बद्ध सांविधानिक प्राधिकारियों के साथ परामर्श की प्रक्रिया जारी है और यह बताना संभव नहीं है कि ये पद कब तक भर लिए जाएंगे।

Suggestions for Amending Companies Act, 1956

2751. SHRI R. S. NAIK:
SHRI H. HANUMANTHAPPA:
SHRI SURESH KALMADI:

Will the MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any proposal under Government's consideration to amend the Companies Act, 1956;

(b) if so, the details thereof and the reasons necessitated the amendment;

(c) whether it is also a fact that Confederation of Engineering Industry has submitted 60 recommendations for revamping of the Companies Act, 1956 so as to facilitate modernisation, upgrade technology and bring about structural changes to tide over the impediments to globalisation; and

(d) if so, what is the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) and (b) It has been decided to introduce a Bill in the Parliament to amend the Companies Act, 1956. The general approach of the Government in making changes in Company Law is to provide for more effective investor protection in view of the rapid growth of the Capital market and spread of equity culture, rationalisation and streamlining of the provisions of the Act in tune with the changed environment in which manufacturing and other companies must operate and for better management of companies.

(c) and (d) Yes Sir. Confederation of Engineering Industry (CEI) had given several suggestions for revamping the Companies Act. A meeting was organised with representatives of CEI and these suggestions were discussed by Senior Officers of the Department with them. These suggestions will be kept in view while considering amendments to the Companies Act, 1956.

Cost Audit Pesticide, Insecticide and Weedicide Industries

2752. SHRIMATI SATYA BAHIN:
SHRI R.S. NAIK:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the answer to Starred

Question 202 given in the Rajya Sabha on 10th September, 1991 and state:

(a) what steps have been taken to put cost audit on Pesticide, Insecticide and Weedicide Industries;

(b) whether it is a fact that profitability in this industry is the highest;

(c) whether it is also a fact that these items are extensively used by the farmers, fruit growers, household and others;

(d) whether there is a large scale evasion of taxes and overinvoicing of imports in this industry;

(e) whether his Ministry has come across any such instances; and

(f) if so, the details thereof and what effective steps are being proposed in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PALIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARA-MANGALAM): (a) The government while taking a decision to cover a particular industry under Cost Audit has to take into account certain factors such as whether the industry is of basic importance engaged in the production of important industrial raw materials or inputs, whether it is producing products of mass consumption etc. Prescribing of Cost Audit in respect of industries engaged in manufacturing or processing activities is a continuous exercise and steps are being taken for covering important industries and products under Cost Audit. Government have already initiated steps to study the structure of these industries before taking any view on prescribing Cost Accounting (Record) Rules for these industries.

(d) Details in this regard are not available.

(c) Yes, Sir.

(d) to (f) Since the industry in question is not covered under Cost Accounting (Record) Rules at present, instances of the type referred to have not come to the notice of the Ministry.

Enforcement of the Hire Purchase Act, 1972

2753. SHRI SURESH PACHOURI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Hire Purchase Act, 1972 has not been notified to come into force by the Government so far;

(b) if so, what are the reasons therefor;

(c) whether it is also a fact that the notification for commencing the said Act were issued twice in the past but were rescinded soon by Government;

(d) if so, what are the details thereof and also the reasons therefor; and

(e) what remedial action Government propose to take to prevent the executive from not carrying out the wishes of Parliament by not enforcing the Acts of Parliament?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARA-MANGALAM): (a) Yes, Sir.

(b) to (e) A notification to bring the Hire-Purchase Act into force on and from 1st June, 1973 was issued on the 30th April, 1973. Later on, another notification was issued on 31st May, 1973 rescinding the notification dated 30th April, 1973 and proposing to bring the Act into force on 1st September, 1973. Since several representations were received from the public against the bringing of the Act into force it was not possible to enforce the Act, and accordingly, a notification rescinding the notification of 31st May, 1973 was issued on 30th August, 1973.

The Banking Laws Committee, in its